

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of an alley.

WHEREAS, (1) a petition to vacate a portion of an alley (as more specifically described below) was duly filed with the City Plan Commission; and (2) said Commission duly held a public hearing thereon; and (3) said Commission has duly forwarded its recommendation thereon to this body approving said petition, all in accordance with I.C. 18-7-4-512(2) (Burns Ind. Stat. Ann., 1980 Supp.)

WHEREAS, this body concurs in the recommendation of the City Plan Commission:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein, to vacate:

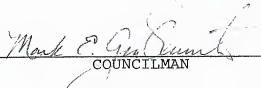
The portion of the alley which abuts the northern boundary of Lot 3 of Gebhart's Subdivision and Lots 24, 25, 26, 27, 28, 29 through the southern boundary of Lot 30 of Park's Addition, as recorded in Deed Book 67, pages 372-373, Allen County Recorder's Office and which also abuts the parcel of land east of the alley to be vacated, commonly known as 2107 Covington Road, more particularly, E 106 of N 285 feet on Miller Road; W of Gebhart's Subdivision, .69 A NW 1/4 Section 15,

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan is hereby approved.

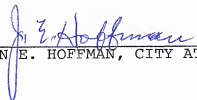
SECTION 2. That by reason of this approval, said petitioner(s) may now proceed with said vacation before the Fort Wayne Board of Public Works, under I.C. 18-1-7-1, for an administrative order of vacation and an assessment of benefits and damages to affected property owners, or before the Allen Circuit or Superior Courts under I.C. 18-5-10-44, for a judicial decree of vacation and an assessment of benefits

and damages to affected property owners.

SECTION 3. That the Ordinance shall be effective upon passage, approval by the Mayor and due legal publication.


COUNCILMAN

APPROVED AS TO FORM AND
LEGALITY MARCH 20, 1981.


JOHN E. HOFFMAN, CITY ATTORNEY

Read the first time in full and on motion by Gia Quinta
seconded by Burns, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on June, 1981, the 3rd day of
June, at 3 o'clock P. M., E.S.T.

DATE: 3-27-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Gia Quinta,
seconded by Talarico, and duly adopted, placed on its
passage. PASSED (E.S.T.) by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>9</u> | <u>0</u> | | | |
| <u>BURNS</u> | <u>✓</u> | | | | |
| <u>EISBART</u> | <u>✓</u> | | | | |
| <u>GIAQUINTA</u> | <u>✓</u> | | | | |
| <u>NUCKOLS</u> | <u>✓</u> | | | | |
| <u>SCHMIDT, D.</u> | <u>✓</u> | | | | |
| <u>SCHMIDT, V.</u> | <u>✓</u> | | | | |
| <u>SCHOMBURG</u> | <u>✓</u> | | | | |
| <u>STIER</u> | <u>✓</u> | | | | |
| <u>TALARICO</u> | <u>✓</u> | | | | |

DATE: 6-2-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) No. 09-81
on the 2nd day of June, 1981.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 2nd day of June, 1981, at the hour of
11:00 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 3rd day of June
1981, at the hour of 3 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

Filed June 9

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE amending the Thoroughfare Plan of the City Comprehensive
("Master") Plan by vacating a portion of an alley

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GiaQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

CONCURRED IN

DATE _____ CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

8 May 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held April 27, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-81-03-37
2. Intended Use: Vacated right-of-way will be utilized by abutting property owners.
3. Plan Commission Recommendation: DO PASS with condition.

CONDITION: The dedication of appropriate easements for Fort Wayne Cablevision and I&M.

NOTE: All necessary easements have been received and a copy of the easements are attached to the original ordinance and on file in the Plan Commission Office.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION 70-191-4

10-191-4
5/21/81

WHEREAS, ROBERT J. GEBHART, ELLEN GEBHART, C.J. BROUCEK, DOROTHY M. BROUCEK, JESUS MORALES and AURORA MORALES have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

The portion of the alley which abuts the northern boundary of Lot 3 of Gebhart's Subdivision and Lots 24, 25, 26, 27, 28, 29 through the southern boundary of Lot 30 of Park's Addition, as recorded in Deed Book 67, pages 372-373, Allen County Recorder's Office and which also abuts the parcel of land east of the alley to be vacated, commonly known as 2107 Covington Road, more particularly, -E 106' of N 285 feet on Miller Road; W of Gebhart's Subdivision, .69 A NW ¼ Section 15.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Mark L. Akers Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held May 21, 1981 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 21st DAY OF May 19 81

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers
Mark L. Akers, Chairman

Roberta Anderson-Staten
Roberta Anderson-Staten, Member

Betty R. Collins, Member

RESOLUTION

WHEREAS, ROBERT J. GEBHART, ELLEN GEBHART, C.J. BROUCEK, DOROTHY M. BROUCEK, JESUS MORALES and AURORA MORALES have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

The prortion of the alley which abuts the northern boundary of Lot 3 of Gehart's Subdivision and Lots 24, 25, 26, 27, 28, 29 through the southern boundary of Lot 30 of Park's Addition, as recorded in Deed Book 67, pages 372-373, Allen County Recorder's Office and which also abuts the parcel of land east of the alley to be vacated, commonly known as 2107 Covington Road, more particularly, E 106' of N 285 feet on Miller Road; W of Gebhart's Subdivision, .69 A NW $\frac{1}{4}$ Section 15

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 20, 1981, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

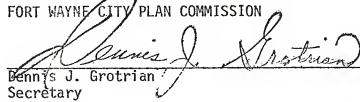
Fort Wayne City Plan Commission
Resolution

Page two

I, Dennis J. Grotrian, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held April 27, 1981, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 8th DAY OF May 1981

FORT WAYNE CITY PLAN COMMISSION

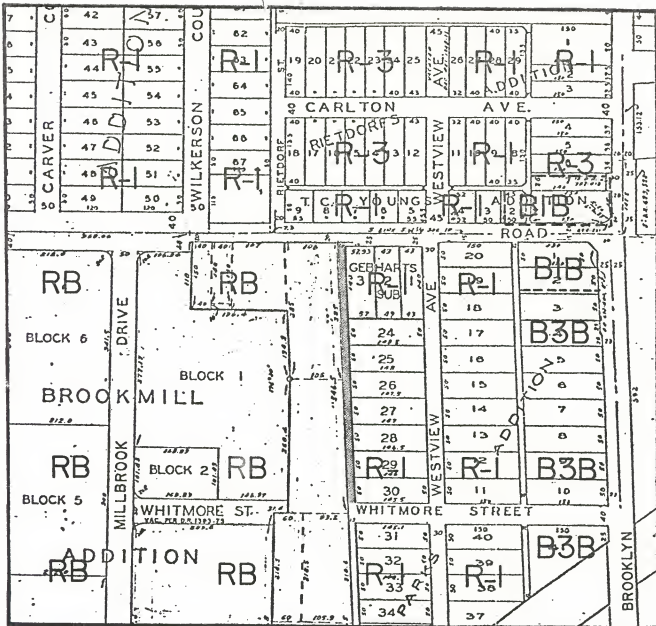

Dennis J. Grotrian
Secretary

RECEIPT

Date 10/14 1980 No. 15867.Received From Robert J. & Ellen GehartAddress 2105 Covington Rd.Fifty and 00/100 Dollars \$ 50.00For Vacating alley - Covington Rd

| ACCOUNT | | | HOW PAID | | |
|-----------------|--------------|--|-------------|----------|--|
| AMT. OF ACCOUNT | <u>50.00</u> | | CASH | | |
| AMT. PAID | <u>50.00</u> | | CHECK | <u>/</u> | |
| BALANCE DUE | <u>—</u> | | MONEY ORDER | | |

By Kathy Schaffer



■ REQUEST TO VACATE PART OF ALLEY.

G-81-03-37

MAP NO. J- 7



BY G.R. LAX II-12-80

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT: Robert J. Gebhart, Ellen Gebhart, C. J. Broucek, Dorothy M. Broucek, Jesus Morales, and Aurora Morales, over the age of eighteen (18) years, of Allen County, State of Indiana, hereinafter referred to as "Grantors", do hereby grant, Fort Wayne Cablevision, hereinafter called the "Grantee", a permanent easement for utility purposes which includes construction, operation and maintenance of utility lines and facilities in, over, upon and across the following described real estate of the Grantors in the City of Fort Wayne, Allen County, Indiana:

The portion of the alley which abuts the northern boundary of Lot 3 of Gebhart's Subdivision and Lots 24, 25, 26, 27, 28, 29 through the southern boundary of Lot 30 of Park's Addition, as recorded in Deed Book 67, pages 372-373, Allen County Recorder's Office and which also abuts the parcel of land east of the alley to be vacated, commonly known as 2107 Covington Road, more particularly, E 106 of N 285 feet on Miller Road; W of Gebhart's Subdivision, .69 A NW 1/4 Section 15.

In witness whereof, the Grantors have executed this instrument on the 19 day of March, 1981.

Robert J. Gebhart
ROBERT J. GEBHART

Ellen Gebhart
ELLEN GEBHART

C. J. Broucek
C. J. BROUCEK

Dorothy M. Broucek
DOROTHY M. BROUCEK

Jesus Morales
JESUS MORALES
STATE OF INDIANA, COUNTY OF ALLEN, SS:

Aurora Morales
AURORA MORALES

Before me, the undersigned, a Notary Public in and for said County and State, this 19 day of March, 1981, personally appeared the within named Robert J. Gebhart, Ellen Gebhart, C. J. Broucek, Dorothy M. Broucek, Jesus Morales and Aurora Morales, Grantors, in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed for the uses and purposes herein mentioned.

In witness whereof, I have hereunto set my name and affixed by official seal.

My Commission Expires:

Barbara L. Tatman
BARBARA L. TATHAN Notary Public
Resident of Allen County, Indiana

April 13, 1982

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT: Robert J. Gebhart, Ellen Gebhart, C. J. Broucek, Dorothy M. Broucek, Jesus Morales, and Aurora Morales, hereinafter referred to as "Grantors" for and in consideration of One Dollar (\$1.00), receipt of which is hereby acknowledged, do hereby grant, quit-claim and convey to the CITY OF FORT WAYNE, hereinafter referred as "Grantee" a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct and remove a sewer line along and across the following described real property located in Allen County, State of Indiana, to-wit:

The portion of the alley which abuts the northern boundary of Lot 3 in Gebhart's Subdivision and Lots 24, 25, 26, 27, 28, 29 through the southern boundary of Lot 30 of Park's Addition, as recorded in Deed Book 67, pages 372-373, Allen County Recorder's Office and which also abuts the parcel of land east of the alley to be vacated, commonly known as 2107 Covington Road, more particularly, E 106 of N 285 feet on Miller Road; W of Gebhart's Subdivision, .69 A NW 1/4 Section 15.

Grantors retain the right to construct hard surface coverings across and along the easement tract.

Grantors certify under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this Deed.

EXECUTED THIS 19 day of March, 1981.

Robert J. Gebhart
ROBERT J. GEBHART

Ellen Gebhart
ELLEN GEBHART

C. J. Broucek
C. J. BROUCEK

Dorothy M. Broucek
DOROTHY M. BROUCEK

Jesus Morales
JESUS MORALES

Aurora Morales
AURORA MORALES

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 19 day of March, 1981, personally appeared the within named Robert J. Gebhart, Ellen Gebhart, C. J. Broucek, Dorothy M. Broucek, Jesus Morales and Aurora Morales, Grantors, in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed for the uses and purposes herein mentioned.

In witness whereof, I have hereunto set my name and affixed by official seal.

Barbara L. Tatman
BARBARA L. TATMAN Notary Public
Resident of Allen County, Indiana

My Commission Expires:

April 13, 1982

DISTRIBUTION EASEMENT

Indiv. & Corp.

W.O. No. _____ Eas. No. _____ Map No. _____

Overhead & Underground

THIS INDENTURE, made this _____ day of _____, 19____,
between Robert J. Gebhart and Ellen Gebhart, husband and wife

whose address is 2105 Covington Road, Fort Wayne, Indiana 46804

(hereinafter called "Grantor"), and INDIANA & MICHIGAN ELECTRIC COMPANY, an Indiana Corporation whose address is 2101 Spy Run Avenue, Fort Wayne, Indiana, (hereinafter called "Grantee").

WITNESSETH: That for One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey to Grantee a right-of-way and easement for the construction, operation, use, maintenance, repair, renewal, and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy, including the right to permit attachments of others to said facilities, in, on, along, under, over, across, and through the following described premises situated in Wayne Township, County of Allen, State of Indiana, and being a part of Section 15, Township 30 N, and Range 12 E, to-wit:

That part of a 12 foot wide alley, to be vacated, lying west of and adjacent to the west lines of lots numbered 28, 29 and 30 in Parks addition to the City of Fort Wayne, Indiana.

TOGETHER with the right of ingress and egress to, from, and over said Premises, and also the right to cut or trim any trees and bushes which may endanger the safety or interfere with the construction and use of said power line.

Grantee shall promptly repair or replace all physical damages on the Premises proximately caused by the construction, operation and maintenance of Grantee's Facilities.

It is agreed that the foregoing is the entire contract between the parties hereto and that this written agreement is complete in all its terms and provisions and shall be binding on their respective representatives, heirs, successors, and assigns.

IN WITNESS WHEREOF, Grantor, if individual(s), ha ya hereunto set their hands; and if corporation, has caused its corporate name and seal to be affixed by its duly authorized officers, the day first above written.

Signed, Sealed and Delivered in Presence of

Robert J. Gebhart
Robert J. Gebhart
Ellen Gebhart
Ellen Gebhart

STATE OF INDIANA

County of.....

} ss:

Be it remembered that on the..... day of....., 19.... before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared..... President of the..... Company, and acknowledged the execution of the foregoing instrument on behalf of said Company, as the voluntary act and deed of said Company for the uses and purposes therein set forth, and said officer, having been duly sworn, swears that the statements contained therein relating to Indiana gross income tax are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.
My Commission Expires

....., 19.....

Notary Public

STATE OF MICHIGAN,

County of.....

} ss:

On This..... day of.....
in the year of our Lord one thousand nine hundred and.....
before me, a in and for said County
appeared..... to me personally
known, who, being by me duly sworn, did..... say that
..... the
of
the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said
..... acknowledged said instrument to be the
free act and deed of said corporation.

.....
Notary Public, County, Michigan
My commission expires, 19.....

STATE OF INDIANA

..... County

} ss:

Before me....., a Notary Public in and for said
County and State, this..... day of....., 19....., personally appeared
the above named
.....
and acknowledged the execution of the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day and year above written.

.....
Notary Public.

My commission expires, 19....

STATE OF MICHIGAN

County of.....

} ss:

On this..... day of....., 19....., before me personally appeared
.....
to me known to be the person....described in and who executed the within instrument, and acknowledged
that executed the same as free act and deed.

....., Notary Public
..... County, Michigan

My commission expires, 19....

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioners do hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following public portion of alley, within the City of Fort Wayne, Indiana, and hereby described as follows:

The portion of the alley which abuts the northern boundary of Lot 3 of Gebhart's Subdivision and Lots 24, 25, 26, 27, 28, 29 through the southern boundary of Lot 30 of Park's Addition, as recorded in Deed Book 67, pages 372-373, Allen County Recorder's Office and which also abuts the parcel of land east of the alley to be vacated, commonly known as 2107 Covington Road, more particularly, E 106 of N 285 feet on Miller Road; W of Gebhart's Subdivision, .69 A NW 1/4 Section 15.

In support thereof, your petitioners would represent:

1. That they are the owners of the real estate abutting both sides of the alley.
2. That the alley is not necessary as ingress and egress to other properties whatsoever.
3. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and it would be to the best interest of the City and the citizens thereof.

Your petitioners file this petition pursuant to the authority granted in Indiana Code, Section 18-7-5-46, in order to complete the vacation as above described.

WHEREFORE, your petitioners pray that the above described alley be vacated to the provisions of the Indiana Law pertaining thereto.

DATED THIS 19 DAY OF January, 1981.

Robert J. Gebhart
ROBERT J. GEBHART
Lot #3 Gebhart's Sub., Lot
24, 28, 29, 30 of Park's Add.,
2017 Covington Road

C. J. Broucek
C. J. BROUCEK
Lot 25, 26 Park's Add.

Jesus Morales
JESUS MORALES
Lot 27 Park's Add.

Ellen Gebhart
ELLEN GEBHART
Lot #3 Gebhart's Sub., Lot
24, 28, 29, 30 of Park's Add.,
2017 Covington Road

Dorothy M. Broucek
D. M. BROUCEK
Lot 25, 26 Park's Add.

Aurora Morales
AURORA MORALES
Lot 27 Park's Add.

THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

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WHEREFORE, your petitioners pray that the above described alley be vacated to the provisions of the Indiana Law pertaining thereto.

DATED THIS 19 DAY OF January, 1981.

Robert J. Gebhart
ROBERT J. GEBHART
Lot #3 Gebhart's Sub., Lot
24, 25, 26, 27, 28, 29, 30 of Park's Add.,
2017 Covington Road

C. J. Blouin
C. J. BLOUIN
Lot 24, 26 Park's Add.

Jesus Morales
JESUS MORALES
Lot 27 Park's Add.

R. J. Glasper
R. J. GLASPER, Executive Director for
The Housing Authority of the City of Fort Wayne, Indiana
Space 3A, 4A and 4B
Brookmill Addition

Ellen Gebhart
ELLEN GEBHART
Lot #3 Gebhart's Sub., Lot
24, 25, 26, 27, 28, 29, 30 of Park's Add.,
2017 Covington Road

Barbara M. Brown
B. M. BROWN
Lot 25, 26 Park's Add.

Aurora Morales
AURORA MORALES
Lot 27 Park's Add.

DIGEST SHEET

9-81-03-37

TITLE OF ORDINANCE Alley Vacation OrdinanceDEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A north/south alley running south from Covington Road
and north from Whitmore Street, lying east of Millbrook Drive and
west of Westview Avenue.

EFFECT OF PASSAGE Property is now public right-of-way. Property will revert
to adjacent property owners and be closed for public use.

EFFECT OF NON-PASSAGE Property will remain open as public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

per



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -r- room 122

June 4, 1981

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of June 9 and June 16, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. Z-81-04-39
Zoning Map Ordinance No. Z-15-81

Bill No. G-81-03-37
General Ordinance No. G-09-81

Please send us eight (8) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 2nd day of June, 1981, the Common Council of the City of Fort Wayne, Indiana in Special Session did pass the following Bill No. Z-81-04-39 -- Zoning Map Ordinance No. Z-15-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-14

Notice is hereby given that on the 2nd day of June, 1981, the Common Council of the City of Fort Wayne, Indiana, in Special Session did pass the following Bill No. G-81-03-37 -- General Ordinance No. G-09-81; being AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of an alley

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-81-04-39 -- Zoning Map Ordinance No. Z-15-81; and Bill No. G-81-03-37 -- General Ordinance No. G-09-81; said Ordinances were signed and approved by the Mayor on the 3rd day of June, 1981, and now remains on file and on record in my office.

Copies of Bill No. Z-81-04-39 -- Zoning Map Ordinance No. Z-15-81 and Bill No. G-81-03-37 -- General Ordinance No. G-09-81, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

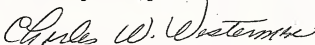
- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-81-04-39 -- Zoning Map Ordinance No. Z-15-81 and Bill No. G-81-03-37 -- General Ordinance No. G-09-81, will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana


Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on June 9, 1981


Charles W. Westerman
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen County, Ind.

To JOURNAL-GAZETTE Dr.
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines _____
Head number of lines _____
Body number of lines 67
Tail number of lines 2
Total number of lines in notice 69

COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .276¢ \$ 19.04
cents per line
Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____
Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra 3.00
TOTAL AMOUNT OF CLAIM. \$ 22.04

DATA FOR COMPUTING COST

Width of single column 9.6 picas Size of type.....6.....point
Number of insertions 2 Size of quad upon which type is cast.....6.....

Public Notice is hereby given that on the 2nd day of June, 1981, the Common Council of the City of Fort Wayne, Indiana in Special Session did pass the following Bill No. Z-81-04-39 - Zoning Map Ordinance No. Z-15-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-14.

Public Notice is hereby given that on the 2nd day of June, 1981, the Common Council of the City of Fort Wayne, Indiana, in Special Session did pass the following Bill No. G-81-03-37 - General Ordinance No. G-09-81; being AN ORDINANCE amending the Comprehensive ("Master") Plan by vacating a portion of an alley, to-wit: Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-81-04-39 - Zoning Map Ordinance No. Z-15-81 and Bill No. G-81-03-37 - General Ordinance No. G-09-81; said Ordinances were signed and approved by the Mayor on the 3rd day of June, 1981, and now remains on file and on record in my office.

Copies of Bill No. Z-81-04-39 - Zoning Map Ordinance No. Z-15-81 and Bill No. G-81-03-37 - General Ordinance No. G-09-81, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana:
(1) The main floor of the City-County Building.
(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library.
(3) The bulletin board in the lobby at the East door of the Allen County Court House.
Copies of Bill No. Z-81-04-39 - Zoning Map Ordinance No. Z-15-81 and Bill No. G-81-03-37 - General Ordinance No. G-09-81, will be available for reading in the following places in Fort Wayne, Allen County, Indiana:
(1) Reference Room in the north end of the main floor in said Downtown Public Library.
(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana.

CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on June 9, 1981.
CHARLES W. WESTERMAN
City Clerk

ties of Ch. 89., Acts 1967.

account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Arvilla DeWald

Title.....CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 6/9 - 6/16/81

Subscribed and sworn to before me this 16th day of June 1981

Arvilla DeWald

Notary Public

My commission expires November 29, 1981

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

| | | |
|---------------------------------|---|-----------|
| Display | Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines | _____ |
| Head | number of lines | _____ |
| Body | number of lines | <u>67</u> |
| Tail | number of lines | <u>2</u> |
| Total number of lines in notice | | <u>69</u> |

COMPUTATION OF CHARGES

| | |
|---|-----------------|
| 69 lines, 1 columns wide equals 69 equivalent lines at .276¢ | \$ <u>19.04</u> |
| Additional charge for notices containing rule or tabular work (50 per cent of above amount) | _____ |
| Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra | <u>3.00</u> |
| TOTAL AMOUNT OF CLAIM | \$ <u>22.04</u> |

DATA FOR COMPUTING COST

| | |
|----------------------------------|---|
| Width of single column 9.6 picas | Size of type <u>6</u> point |
| Number of insertions <u>2</u> | Size of quad upon which type is cast <u>6</u> |

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date June 16 19 81

Title CLERK

Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:

6/9 - 6/16/81

Subscribed and sworn to before me this 16th day of June 19 81

My commission expires November 29, 1981

Arvilla DeWald
Arvilla DeWald
Notary Public

on
selves
20 years.
to drive into the
woman's car at Hobson
Jan. 22 when Newville
81 and Bill No. G-81-03-37 - General Ordinance No. G-09-81, will be available for reading in the following places in Fort Wayne, Allen County, Indiana.
(1) Reference Room in the north end of the main floor in said Downtown Public Library.
(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana.
CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on June 9, 1981.
CHARLES W. WESTERMAN
City Clerk
6/9-16

Port Wayne Common Council

(Governmental Unit)

To NEWS-SENTINEL Dr.Allen County, IndFORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines _____

Head number of lines _____

Body number of lines _____

Tail number of lines _____

Total number of lines in notice _____

67269**COMPUTATION OF CHARGES**69 lines, 1 columns wide equals 69 equivalent lines at .276¢ \$ 19.04
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra 3.00**TOTAL AMOUNT OF CLAIM.** \$ 22.04**DATA FOR COMPUTING COST**

Width of single column 9.6 picas

Size of type 6 pointNumber of insertions 2Size of quad upon which type is cast .6

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I he has I the amount is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Date Notice is hereby given that on the 2nd day of June, 1981, the Common Council of the City of Fort Wayne, Indiana in Special Session did pass the following Bill No. G-81-03-37 - General Ordinance No. G-09-81; being AN ORDINANCE amending the Thoroughfare Plan of the City of Fort Wayne, Indiana, by vacating a portion of an alley.

Date Notice is hereby given that on the 2nd day of June, 1981, the Common Council of the City of Fort Wayne, Indiana in Special Session did pass the following Bill No. G-81-03-37 - General Ordinance No. G-09-81; being AN ORDINANCE amending the Thoroughfare Plan of the City of Fort Wayne, Indiana, by vacating a portion of an alley.

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PUBLISHER'S AFFIDAVITState of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned D. ROOSE who, being duly sworn, says that she is CLERK of the**NEWS-SENTINEL**a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 6/9 - 6/16/81

Subscribed and sworn to before me this

16thdayJune1981November 29, 1981 Notary Public

My commission expires _____

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dt.

Allen County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

67

2

69

COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .276¢ \$ 19.04
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra \$ 3.00

TOTAL AMOUNT OF CLAIM.

\$ 22.04

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. Roose

Date June 16 19 81

Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. ROOSE who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:

6/9 - 6/16/81

Subscribed and sworn to before me this

16th

day of

June

19 81

November 29, 1981

My commission expires

D. Roose
Anne M. Perkins
Notary Public



of the City Clerk of Fort Wayne, Indiana
CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on June 9, 1981.
CHARLES W. WESTERMAN
City Clerk
6/9-16